

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

JEFFREY HOLLAND,
Petitioner

v.

DAVID EBBERT, WARDEN,
Respondents.

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: CIVIL NO. 1:13-CV-1841
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O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

We are considering the Report and Recommendation (“R&R”) of Magistrate Judge Carlson, which recommends that we dismiss the petition for habeas relief.

Petitioner Holland objects to the magistrate judge’s finding that his § 2241 petition is successive and subject to dismissal. In support of his position, Holland has raised the same arguments previously made before the magistrate judge and the district court. The magistrate judge’s report fully explains the history of the case, and disposes of Holland’s objections. That Holland has already sought and been denied leave to file a second or successive motion under § 2255 does not change our analysis. See In Re: Jeffrey Holland, No. 13-2085 (3d Cir. 2013).

ACCORDINGLY, this 26th day of August, 2013, upon consideration of the report and recommendation of the magistrate judge (Doc. 4), filed July 11, 2013, and the objections that were filed, and upon independent review of the record, it is ORDERED that:

1. The magistrate judge's report is adopted (Doc. 4).
2. Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 is dismissed as successive.
3. The Clerk of Court shall close this file.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge